IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8219 of 1992

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SWATIBEN A MEHTA

Versus

DIST. PRIMARY EDUCATION OFFICER

Appearance:

MR PS PATEL for Petitioner

MR RA MISHRA for Respondent No. 1

MR LR PUJARI AGP for Respondent No. 2

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 10/11/2000

ORAL JUDGEMENT

Heard the learned advocates.

The petitioner claims that she was qualified to be appointed as a primary school teacher as she has passed SSC Examination and has obtained Primary Teachers

Certificate. She has also acquired additional qualifications in Drawing and Sewing. Considering her merits in each of the aforesaid examinations passed by her, she has for the purpose of appointment as primary school teacher, secured 67.58% marks. Pursuant to the advertisement dated 10th April, 1991, given by the respondent-District Panchayat, she had applied for appointment to the post of primary school teacher. However, irrespective of her merits, her case was not considered by the respondent-Panchayat. Feeling aggrieved, she has preferred the present petition and has prayed that her case for appointment as primary school teacher be considered and she be given appointment as such.

The petition was admitted to final hearing on 7th March, 1994, and was ordered to be heard with Special Civil Application No. 6273/92. It appears that several such applicants who had failed to secure appointment as primary school teachers, had filed writ petitions including Special Civil Application No. 6273/92. All those writ petitions (37 in all) were heard and decided by this Court (Coram : Mr.Justice S.D.Shah as he then was) on 21st September, 1994. The learned Judge after considering all the rival contentions, dismissed the said group of petitions. It appears that though the present petition was ordered to be heard with Special Civil Application No. 6273/92, the same was not heard at the relevant time and is now placed before me for hearing and final disposal

Since the matters at issue have already been decided, I need not delve into them. For the reasons recorded in the above referred judgment dated 21st September, 1994, this petition is dismissed. Rule is discharged. Copy of the said order dated 21st September 1994 be kept on the record of this matter also. The parties shall bear their own costs.

(MS R.M.DOSHIT J)

JOSHI